

12/27/00

12-28-00

12

NEW UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)
 (Only for new nonprovisional applications under 37 CFR
 1.53(b))

DOCKET NO:

IBMB110231000

Total Pages in this Submission:

32

 Jc903 U.S. PTO
 09/7/8965

12/27/00

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
 Washington, D.C. 20231

Transmitted herewith for filing under 35 USC 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

OSCILLATOR WITH DIGITALLY VARIABLE PHASE FOR A PHASE-LOCKED LOOP

and invented by:

Marc W. Cantell et al.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in Part (CIP) of prior application no: 09/365,859

Enclosed are:

APPLICATION ELEMENTS

1. ☒ Filing fee as calculated and transmitted as described below.

2. ☒ Specification having 13 pages and including the following:

- a. ☒ Descriptive Title of the Invention.
- b. ☐ Cross References to Related Applications. *(if applicable)*.
- c. ☐ Statement Regarding Federally-sponsored Research/Development. *(if applicable)*
- d. ☐ Reference to Microfiche Appendix. *(if applicable)*
- e. ☒ Background of the Invention.
- f. ☒ Brief Summary of the Invention.
- g. ☒ Brief Description of the Drawings. *(If drawings filed)*
- h. ☒ Detailed Description.
- i. ☒ Claim(s) as Classified Below.
- j. ☒ Abstract of the Disclosure.

3. ☒ Drawing(s) *(when necessary as prescribed by 37 USC 113)*

- a. ☒ Formal Number of sheets: 1
- b. ☒ Informal Number of sheets: 1

4. ☒ Oath or Declaration.

- a. ☐ Newly executed *(original copy)* ☐ Unexecuted.

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- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional applications only)*
c. ☒ With Power of Attorney ☐ Without Power of Attorney

5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Computer Program in Microfiche. *(Appendix)*

7. ☐ Nucleotide and/or Amino Acid Sequence Submission. *(if applicable, all must be included)*

- a. ☐ Paper Copy.
b. ☐ Computer Readable Copy. *(Identical to computer copy)*
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy.

Accompanying Application Parts

8. ☒ Assignment Papers.

- ☒ The prior application is assigned of record to International Business Machines Corporation.
☐ An assignment of the invention to _____ is attached. (cover sheet & documents(s))

9. ☐ 37 CFR 3.73 (B) Statement. *(when there is an assignee)*

10. ☐ English Translation Document. *(if applicable)*

11. ☒ Information disclosure Statement/PTO-1449.

☐ Copies of IDS Citations

12. ☒ Preliminary Amendment.

13. ☒ Acknowledgment postcard.

14. ☒ Certificate of Mailing:

- ☐ First Class ☒ Express Mail *(Specify Label No)* EL277591106US

15. ☐ Certified Copy of Priority Document(s). *(if foreign priority is claimed)*

16. ☒ Additional Enclosures. *(please identify below):*

Inventor Information

NEW UTILITY PATENT APPLICATION TRANSMITTAL**(Large Entity)**(Only for new nonprovisional applications under 37 CFR
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Priority17. ☐ Priority - 35 USC 119☐ Priority of application serial no. _____ filed on _____ in _____
_____ is claimed under 35 USC 119.☐ The certified copy has been filed in prior U.S. application Serial No. _____ on _____.☐ The certified copy will follow.18. ☒ Priority - 35 USC 120☒ Amend the specification by inserting before the first line the following sentence:

"This is a

☐ continuation☒ divisional

of copending application(s)

☒ Serial Number 09/365,859 filed on August 3, 1999."☐ International Application No. _____ and which designated the U.S."**Inventorship Statement**19. ☒ Inventorship

With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are)

☒ the same.☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

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**Fee Calculation and Transmittal
CLAIMS AS FILED**

FOR	NO. FILED	NO. ALLOWED	NO. EXTRA	RATE	FEE
Total Claims	10	— 20 =		x \$18.00	\$ 0
Indep. Claims	1	— 03 =		x \$80.00	\$ 0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$
BASIC FILING FEE					\$710.00
Other Fees (specify purpose)					\$
TOTAL FILING FEE					\$710.00

- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0456 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$ 710.00 as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

Dated: 12-27-00

Kelly Reynolds
Kelly Reynolds
Reg. No. P-47,898

DELIO & PETERSON, LLC
121 Whitney Avenue
New Haven, CT 06510

CERTIFICATION OF MAILING UNDER 37 CFR 1.10

"Express Mail" mailing label number EL277591106US Date of Deposit: December 27, 2000 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Name: Carol M. Thomas Signature: Carol M. Thomas
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